

Wyoming Department of Transportation Vehicle Registration—Rebuttable Presumption

Background

During the 2017 Legislative session, HB0280, Vehicle Registration Requirements, was passed into law as Enrolled Act No. 95 to create a rebuttable presumption for ownership of vehicles registered in another jurisdiction. The bill established additional criteria to determine ownership and control of a motor vehicle as well as an additional penalty if the registration is not completed within 30 days of this determination.

The Wyoming Department of Transportation (WYDOT), in consultation with the Department of Revenue, a county treasurer, or a Wyoming peace officer, is authorized to determine that a person is in control of the vehicle and that Wyoming registration is required. WYDOT shall notify the resident of the requirement for registration and any sales or use taxes due in writing within 30 days. The process shall allow for a hearing and appeal under the Wyoming Administrative Procedures Act.

WYDOT is currently completing the rules process required by the 2017 law, with the public comment period closing October 30. The rule is anticipated to be signed by the Governor and filed with the Secretary of State in early 2018.

Once the rules and regulations are adopted, an informational campaign will be developed to inform the public. The goal will be to allow people to register these vehicles voluntarily before to the effective date of the legislation, July 1, 2018.

When the new rule and then the law go enter effect next year, WYDOT will begin to compile data about whether the changes provide sufficient incentives to improve compliance with vehicle registration requirements.

Issue

The inventive value of the new law and rule is uncertain. WYDOT will keep the committee informed of progress as the agency promulgates and implements this rules and regulations (including the informational campaign throughout the interim period).

Legislative Recommendation

Evaluate the effectiveness of the WYDOT rule and the 2017 legislation before considering additional actions.

Note: WYDOT is not recommending additional legislation now.